

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CLARK COUNTY,

Plaintiff,

vs.

JACOBS FACILITIES, INC., *et al.*,

Defendants.

Case No. 2:10-cv-00194-LRH-PAL

ORDER

The court conducted a status and dispute resolution conference on October 21, 2011, and heard oral arguments regarding the parties' supplemental briefs in support of Defendants' arguments it inadvertently disclosed a mitigation plan, and Plaintiff's opposition. The court took the matter under submission indicating it would issue a separate written order. Shortly after the hearing the parties sent a letter to the undersigned and the district judge requesting that the court hold in abeyance decision of pending motions because they were discussing settlement and a possible mediation.

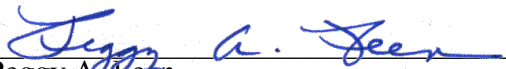
On November 1, 2011, the parties submitted a stipulation and proposed order to stay all proceedings pending mediation which the district judge approved in an Order (Dkt. #106) entered November 3, 2011. The parties have advised the court that they planned on conducting a mediation in February 2012. On November 4, 2011, the district judge entered a Minute Order (Dkt. #108) requiring the parties to file a status report either separately or jointly on or before February 28, 2012, if this action is not otherwise resolved by then.

Under these circumstances,

IT IS ORDERED the parties' discovery dispute concerning the "mitigation plan" is deemed withdrawn. In the event the parties have been unable to resolve this case through mediation, counsel for the moving party shall file a notice requesting that the motion to deem the document inadvertently

1 produced be reinstated, and that the court enter a decision resolving this discovery dispute.

2 Dated this 15th day of November, 2011.

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5 Peggy A. Leach
6 United States Magistrate Judge
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